

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANGELO LEHN,

Plaintiff,

v.

CHIPPEWA COUNTY JAIL, et al.

Defendants.

ORDER

Case No. 21-cv-373-wmc

ANGELO LEHN,

Plaintiff,

v.

OFFICER MUNSON,

Defendant.

ORDER

Case No. 21-cv-375-wmc

On June 22, 2021, I entered orders assessing plaintiff Angelo Lehn an initial partial filing fee of \$17.00 for filing each the above cases, which were due July 13, 2021. Now plaintiff filed a letter stating that he cannot pay the initial partial filing fees, which I will construe as a motion to waive the initial partial filing fee.

In 28 U.S.C. § 1915, Congress has dictated the manner in which prisoners must pay the fees for filing federal lawsuits and appeals, and I have no discretion to modify this method. In calculating the amount of plaintiff's initial partial payment in this case, I used the trust fund account statement plaintiff submitted in support of his for leave to proceed without prepaying the fee. The trust fund account statement shows that plaintiff has had deposits made to his account, which I was able to calculate plaintiff's initial partial filing fee for each case to be \$17.00. Therefore, I will deny without prejudice plaintiff's motion to waive the initial partial filing fees.

However, I will give plaintiff an extension of time until August 27, 2021, to submit the \$17.00 initial partial payments. If by August 27, plaintiff is still unable to pay the \$17.00

initial partial payments, plaintiff should submit an updated trust fund account statement or other documentation that shows how his financial situation has changed.

ORDER

IT IS ORDERED that:

1. Plaintiff Angelo Lehn's motion to waive the initial partial payments in the above cases is DENIED without prejudice.
2. Plaintiff may have an enlargement of time to August 27, 2021, in which to submit a check or money order payable to the clerk of court in the amount of \$17.00 for each case (total \$34.00) or to submit an updated trust fund account statement.
3. If, by August 27, 2021, plaintiff fails to make the \$17.00 initial partial payments, or to show cause for his failure to do so, plaintiff will be held to have withdrawn the actions voluntarily and the cases will be closed without prejudice to plaintiff's filing the cases at a later date.

Entered this 27th day of July, 2021.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge